

O.A. 228/2016 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri N.R. Saboo, Id .counsel for the applicant and Shri S.A. Sainis, Id. P.O. for R-1&2. None for R-3.

At the request of Id. counsel for the applicant, **S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 384/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri M.R. Khan, Id .counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 885/2017 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri A.P. Potnis,  
Id. P.O. for R-1,2&4. None for R-3,5&6.

At the request of Id. P.O., **S.O. After  
Vacation** for filing reply.

**Member (J).**

dnk.

O.A. 208/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri A.M. Khadatkar, Id. P.O. for R-1,5&8. Await service of R-2 to 4 & 6 to 7.

The Id. P.O. files reply of R-5. It is taken on record.

**S.O. After Vacation.**

**Member (J).**

dnk.

**O.A. 558/2018 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

**C.A. No. 387/2021 -**

Heard Shri R.V. Shiralkar, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

Looking to the prayer in the application, the C.A. for early hearing is allowed.

**O.A. 558/2018 -**

**S.O. 22/12/2021.**

**Member (J).**

dnk.

O.A. 553/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 12/1/2022** for filing reply.

**Member (J).**

dnk.

O.A. 819/2018 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

**C.A. 556/2016 -**

Ku. K. Agrawal, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

At the request of Id. counsel for the applicant, **S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 252/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri S.A. Sainis,  
Id. P.O. for R-1 to 3. Await service of R-4.

**S.O. After Vacation** for filing service  
affidavit of R-4.

**Member (J).**

dnk.

O.A. 567/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri N.R. Saboo, Id. counsel for the applicants and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. 4/1/2022** for filing reply.

Put up along with other connected matter.

**Member (J).**

dnk.

O.A. 568/2019 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

**S.O. 4/1/2022.**

Put up along with other connected matter.

**Member (J).**

dnk.

**O.A. 323/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

**C.A. 166/2020 in O.A. 323/2020 -**

None for the applicants. Heard Shri H.K. Pande, Id. P.O. for the respondents.

The Id. P.O. files reply of R-2&3 on C.A. It is taken on record.

**O.A. 323/2020 -**

**S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 692/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri S.A. Deo, Id.  
C.P.O. for R-1. Await service of R-2&3.

**S.O. After Vacation** for filing service  
affidavit.

**Member (J).**

dnk.

**O.A. 863/2020 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri R.V. Shiralkar, Id. counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

The Id. P.O. files reply of R-2. It is taken on record. Copy is given to the applicant.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

**S.O. in due course.**

**Member (J).**

dnk.

O.A. 230/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri R.L. Alone, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

**Member (J).**

dnk.

O.A. 556/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicants. Heard Shri V.A. Kulkarni, Id. P.O. for the respondents.

The Id. P.O. files reply of R-2&3. It is taken on record. He submits that the reply of R-2&3 are sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

**S.O. in due course.**

**Member (J).**

dnk.

**O.A. 801/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

**C.A. 321/2021 in O.A. 801/2021**

Heard Shri S.P. Palshikar, Id. counsel  
for the applicant and shri A.M. Ghogre, Id. P.O.  
for the respondents.

**S.O. 23/12/2021** along with other  
connected matter.

**Member (J).**

dnk.

O.A. 802/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri S.P. Palshikar, Id. counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

The Id. P.O. files reply of R-3. It is taken on record. Copy is given to the Id. counsel for applicant.

**S.O. 23/12/2021** along with other connected matter.

**Member (J).**

dnk.

O.A. 865/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri N.R. Saboo, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the respondents.

The applicant to remove office objections.

The Id. P.O. seeks time to file reply.

**S.O. 21/12/2021.**

**Member (J).**

dnk.

O.A. 883/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri D.S. Sawarkar, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

At the request of Id. C.P.O., **S.O. after three weeks** for filing reply.

**Member (J).**

dnk.

O.A. 991/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri H.K. Pande,  
Id. P.O. for R-1 to 6. None for R-7.

The applicant to remove office  
objections.

At the request of Id. P.O., **S.O. After  
Vacation** for filing reply.

**Member (J).**

dnk.

O.A. 1006/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri A.P. Sadavarte, Id. counsel for the applicant and Shri S.A. Deo, Id. C.P.O. for the respondents.

The applicant to remove office objection.

At the request of Id. C.P.O., **S.O. four weeks** for filing reply.

**Member (J).**

dnk.

O.A. 1014/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Shri A.P. Barahate, Id. counsel for the applicant, Shri A.M. Khadatkar, Id. P.O. for R-1&2 and none for R-3.

At the request of Id. P.O., **S.O. After Vacation** for filing reply.

**Member (J).**

dnk.

O.A. 1016/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri A.M. Ghogre, Id. P.O. for the respondents.

The applicant to remove office objections.

At the request of Id. P.O., **S.O. after four weeks** for filing reply.

**Member (J).**

dnk.

O.A. 833/2017 (S.B.)

**Coram:** Hon'ble Shri Justice M.G. Giratkar,  
Member (J).

**Dated :** 15/12/2021.

None for the applicant. Shri V.A.  
Kulkarni, Id. P.O. for the respondents.

At the request of Id. P.O., **S.O. After  
Vacation.**

**Member (J).**

dnk.

O.A. 502/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri N.S. Warulkar, Id. counsel for the applicants and Shri S.A. Deo, Id. CPO for the respondents.

At the request of Id. counsel for the applicants, **S.O. After Vacation.**

**Member (J).**

dnk.

**O.A. 902/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri S.P. Palshikar, Id. counsel for the applicant, Shri S.A. Deo, Id. CPO for R-1&2 and Shri S.N. Gaikwad, Id. counsel for R-3. Shri S.N. Gaikwad, Id. counsel files reply of R-3. It is taken on record. Copies are served to the other sides.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for R-1&2.

**S.O. 21/12/2021.**

**Member (J).**

dnk.

**O.A. 738/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Mrs. S.V. Kolhe, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The Id. counsel for the applicant has filed letter dated 25/10/2021 written by the applicant. It is taken on record and marked Exh-X for identification.

3. The Id. counsel for the applicant submitted that as per the letter dated 25/10/2021, the applicant has joined in the office of State Excise, Khamgaon after reinstatement. As per submission of Id. counsel, she is instructed to withdraw the O.A., as there is no cause to proceed with the matter further.

4. In view of submission of Id. counsel for the applicant, the O.A. is disposed off as withdrawn. No order as to costs.

**Member (J).**

dnk.

**O.A. 229/2016 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri A.S. Moon, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. As per submission of learned counsel for the applicant, the adverse C.Rs. of the year 1985 and 1986 were not communicated to the applicant and they were taken into consideration by the DPC and therefore he made representation on 21/7/2014. Whereas, the respondent no.3 has filed affidavit-reply and in para-3 it is stated that all adverse remarks were communicated to the applicant by communications dated 24/1/1985, 27/1/1986 and 30/6/1986.

3. The Id. P.O. is directed to call record from respondent no.3 about communication of adverse C.Rs. to the applicant and place on record before the next date.

**S.O. 22/12/2021.**

**Member (J).**

dnk.

O.A. 382/2017 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

None for the applicant. Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. On the earlier date i.e. on 3/12/2021 none appeared for the applicant. Today also none appeared for the applicant. It appears that the applicant is not interested in prosecuting the matter.

3. With a view to afford one more opportunity to the applicant, **S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 343/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri V.B. Bhise, Id. counsel for the applicant and Shri H.K. Pande, Id. P.O. for the respondents.

**S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 788/2020 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri D.R. Runarayan, Id. counsel  
for the applicant and Shri S.A. Sainis, Id. P.O.  
for the respondents.

**S.O. After Vacation.**

**Member (J).**

dnk.

O.A. 501/2021 (S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

Heard Shri D.R. Runarayan, Id. counsel  
for the applicant and Shri M.I. Khan, Id. P.O. for  
the respondents.

**S.O. After Vacation.**

**Member (J).**

dnk.

**O.A. 857/2021 (S.B.)**

**Coram: Hon'ble Shri Justice M.G. Giratkar,  
Member (J).**

**Dated : 15/12/2021.**

**C.A. 406/2021 -**

Heard Shri C.A. Babrekar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. As per submission of learned counsel for the applicant, due to oversight there was typing mistake in the prayer clause. Instead of respondent no.5, typed as respondent no.4. Therefore, prayed to correct the mistakes by amending in the petition.

3. Looking to the prayer in the application, the C.A. for amendment is allowed. Necessary amendment be carried out today itself.

**MCA 26/2021 –**

Heard Shri C.A. Babrekar, Id. counsel for the applicant and Shri A.M. Ghogre, Id. P.O. for the respondents.

2. The Id. counsel for the applicant submitted that he has made amendment in the prayer clause as respondent no.5 instead of respondent no.4. He also prayed that in the order dated 15/11/2021 necessary correction be made.

3. In view of the submission of Id. counsel, in the order dated 15/11/2021 instead of respondent no.4, it should be read as respondent no.5, the Deputy Director of Land Record, Amravati.

4. The MCA accordingly disposed off. No order as to costs.

**Member (J).**

dnk.

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**O.A.No.1007/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

**C.A.No.36/2021:-**

Shri S.C.Deshmukh, the Id. counsel for the applicant, Shri P.N.Warjurkar, the Id. P.O. for respondent nos. 1 to 3, Shri K.P.Wathore, the Id. counsel for the respondent nos. 5, 6, 8 to 12, 14 to 17 and Shri D.M.Kakani, the Id. counsel for the respondent nos. 19 to 21, 23, 24, 25, 28, 29, 31, 32, 35, 36, 41, 51, 52, 54, 55, 57, 58, 66 to 69, 71 to 73, 75 to 84, 86 to 88, 90, 91, 94, 96 to 100, 104, 108 to 110, 113, 115 to 118, 123, 125, 128, 129, 132, 133, 135 to 137, 139, 140, 143 to 145, 147 to 152, 154, 155, 158, 159, 160, 164 to 166, 170, 173, 174, 178, 181 & 183 to 185, 188, 192, 198, 204, 206, 210, 211, 213, 215, 220, 228, 230, 248, 259, 261, 264, 204, 261, 215, 211, 58, 206, 198, 220, 90, 213, 230, 264, 228, 24, 210, 150, 188, 259, 192, 159, 248, 213. None for other respondents.

2. The Id. counsel for the applicant has filed C.A. No. 36/2021 the prayer requested in this C.A. cannot be decided without taking opinion of G.A.D.. In view of this situation, respondents and particularly appointing authority i.e. respondent no. 2 is directed to take opinion from G.A.D. regarding relaxation in G.A.D. G.R. dated 05.03.1955, 09.04.1965, 29.04.1971, 27.03.1972 & 28.03.1974. The Id. counsel for the applicant is relying on all

these G.Rs. and submitted that by these G.Rs. relaxation is given to S.C. and S.T. candidates. In the interest of justice it is better that respondents should seek guidance from G.A.D. and clarifies about the way of relaxation granted.

3. **S.O. 12.01.2022 for final hearing.**

4. **Matter be treated as P.H.**

5. **Steno copy is granted.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.830/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri V.G.Wankhede, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for respondents.

2. At the request of Id. C.P.O., **S.O. four weeks to file reply.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.Nos.1013,1014&1015/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

None for the applicant. Shri S.A.Deo, the Id. C.P.O. for respondents. None for the respondent no. 5.

2. As submitted by Id. C.P.O., the G.R. based on which the applicant is seeking extension on retirement has been quashed by the Hon'ble High Court. The Id. C.P.O. is directed to file reply along with the Judgment of Hon'ble High Court. At the request of Id. C.P.O., **S.O. after vacation.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.741/2019 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

None for the applicant. Shri A.P.Potnis, the  
Id. P.O. for State. Await service of R-2.

2. At the request of Id. P.O., **S.O. four weeks to  
file reply.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.856/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

None for the applicant. Shri A.P.Potnis, the  
Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. after vacation  
to file reply.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.885/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri G.K.Bhusari, the Id. counsel for the applicant and Shri A.M.Ghogre, the Id. P.O. for respondents and Shri A.D.Girdekar, the Id. counsel for the respondent nos. 3 to 10.

2. The Id. P.O. has filed reply on behalf of the respondent nos. 1 & 2. It is taken on record. Copy is served to the other side.

3. The Id. counsel for the respondent nos. 3 to 10 desires time to file reply, **S.O. after vacation.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.478/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

**C.A.No.358/2021:-**

Shri V.G.Wankhede, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for respondents.

**2. C.A.No.358/2021 for permission to file documents on record is allowed and disposed of.**

3. As directed by the Tribunal in order dated 02.08.2021 the Id. counsel for the applicant was asked to file appointment letter of the applicant. He has filed appointment letter of the applicant today which is dated 04.07.2021. The appointment letter is filed along with C.A. No. 358/2021 (A-6, Pg. No. 4). The Id. C.P.O. pointed out that in the appointment letter clause 't' which reads as follow:-

"t- R; kauk [kktxh 0; ol k; dj.; kl ifrcdk jkghy]  
R; k, oth R; k R; k oGh vflRokr vI yY; k o 'kkI ukus  
oGh oGh I kkkj.kk dyyY; k fu; eki zek.k 0; ol k; jskk HRRk  
vuKs jkghy-"

In the appointment letter it is clear by above clause about N.P.A.. Subsequently the G.R. dated 07.08.2012 was issued. Since the appointment letter itself says and that condition has been agreed by applicant at the time of appointment. It is imperative

on the part of applicant to obey conditions of appointment letter.

4. As submitted by Id. counsel for the applicant in the relief clause no. 1 typographical mistake is 07.08.2017 at the two places actually it is 07.08.2012 which he desires to correct. He is permitted to do so.

5. **S.O. after vacation.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.616/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/2021.**

None for the applicant. Shri S.A.Deo, the Id.  
C.P.O. for respondents.

2. **S.O. four weeks.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.727/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri S.C.Deshmukh, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for respondents.

2. The Id. P.O. submits that his file is not traceable. In view of this, **S.O. 17.12.2021.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.929/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. after vacation to file reply.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.987/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/2021.**

**C.A.No.383/2021:-**

Shri R.S.Naktode, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for respondents.

2. The Id. counsel for the applicant submits that he desires to amend the O.A. since he has expressed several reliefs in the O.A. Hence, **C.A. No. 383/2021 for amendment is allowed.** The Id. counsel for the applicant is directed to carryout the amendment within one week. He is further directed to supply the same to the other side.

3. At the request of Id. P.O., **S.O. four weeks.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.1013/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/2021.**

None for the applicant. Shri A.M.Khadatkar,  
the Id. P.O. for State. Await service of respondent  
nos. 2 & 3.

2. **S.O. four weeks.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**C.P.No.17/2020 in O.A.No.197/2017 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/2021.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for respondents.

2. The Id. counsel for the applicant submits that he has received certain documents from the applicant and wants to file on record, **S.O. 06.01.2022.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**C.P.No. 24/2021 in O.A.No.197/2015 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Smt. K.N.Saboo holding for Shri A.P.Tathod, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for State. Await service of respondent nos. 2 to 4.

2. The Id. counsel for the applicant is directed to file service affidavit. At the request of Id. P.O., **S.O. four weeks.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**C.P.No.28/2021 in O.A.No.370/2016 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Smt. K.N.Saboo holding for Shri A.P.Tathod, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for respondents. Await service of respondent no. 2.

2. The Id. counsel for the applicant is directed to file service affidavit. At the request of Id. P.O., **S.O. four weeks.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.175/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Heard Shri S.N.Gaikwad, the Id. counsel for the applicant, Shri M.I.Khan, the Id. P.O. for respondents and Shri D.M.Surjuse, the Id. counsel for the R-5.

2. Matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives notices for the respondents.

4. **S.O. after vacation.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.53/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/2021.**

Shri B.Kulkarni, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for respondents.

2. The Id. counsel for the applicant is mainly relying on G.R. dated 15.12.2017 which is related to the employees who are facing D.E. and court cases for longer period. The Id. counsel for the applicant is mainly relying on provisions of G.R. point nos. 1.6 & 1.9.

3. The Id. P.O. submits that in O.A. No. 1011/2018 similar case is involved where the Id. counsel for the applicant has intervenor in the same case. Hence both the cases should be kept together, **S.O. 17.01.2022 for final hearing.**

4. Matter is **admitted** and kept for final hearing.

5. The Id. P.O. waives notices for the respondents.

6. **Matter be treated as P.H.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.627/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri S.P.Palshikar, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for respondents.

2. As requested by Id. counsel for the applicant, reply has been already filed. Hence, matter is **admitted** and kept for final hearing.

3. The Id. P.O. waives notices for the respondents.

4. S.O. 05.01.2022.

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.931/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri V.B.Gawali, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for respondents.

2. The D.E. is pending since 18.04.2015 the date on which chargesheet was served and during hearing on 01.12.2021 the Id. P.O. was directed to take necessary instructions on the progress of the case. Today the Id. P.O. submits that his reply is ready and he will file it shortly on record and supply to the Id. counsel for the applicant. He is further directed to take instructions regarding progress of the matter,

3. **S.O. 23.12.2021.**

4. **Steno copy is granted.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.1121/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri S.M.Khan, the Id. counsel for the applicant and Shri S.A.Deo, the Id. C.P.O. for State.

2. The Id. counsel for the applicant submits that applicant has been wrongly placed on lower place in the seniority list dated 01.01.2021. However, the Id. P.O. submitted that six candidates who have been shown in the seniority list they are not before the court.

3. Issue notice to Respondents, returnable on four weeks. Learned C.P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

10. **Steno copy is granted.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.762/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri R.V.Shiralkar, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for respondents.

2. The Id. P.O. is directed to produce the documents where Government communicated to M.P.S.C. for conducting this examination and M.P.S.C. expressed it's reluctance not to take this authority how further action was taken.

3. **S.O. 17.12.2021.**

4. **Steno copy is granted.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.469/2018 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri R.V.Shiralkar, the Id. counsel for the applicant, Shri M.I.Khan, the Id. P.O. for respondents and Shri S.M.Bhagde, the Id. counsel for the R-5.

2. The Id. counsel for the applicant submits that he is going to file vakalatnama on behalf of the applicant and seeks certain time, **S.O. 20.12.2021.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.95/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Heard Shri V.T.Bhoskar, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for respondents.

2. **Closed for orders.**

**Member (J)**

**Date:-15/12/2021.**

aps.

**Vice Chairman**

**O.A.No.882/2019 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri A.P.Sadavarte, the Id. counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. 10.01.2022.**

**Member (J)**

**Date:-15/12/2021.**

aps.

**Vice Chairman**

**O.A.No.738/2020 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri T.Rahul, the Id. counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for respondents.

2. The applicant is a Police Constable and chargesheet was served to him and final order was passed on 15.05.2018. By final order it appears that the order has been passed under Mumbai Police (Punishment and Appeal) 1956 Section 5. The applicant has gone in appeal and appeal order has been passed by Special I.G. dated 29.09.2018 and final appeal has been decided on 22.10.2018. In all the appeals, appeals have been rejected. Aggrieved with this situation, applicant has approached to this Tribunal. The Id. counsel for the applicant submitted that chargesheet and inquiry process is not as per prescribed rules. The Id. P.O. is directed to get the relevant documents to prove it that procedure part has been complied with.

**3. Matter be treated as P.H.**

**4. S.O. after vacation.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

O.A.No.66/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman & Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri S.M.Khan, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for respondents.

2. The issue relates to the applicant being appointed in Group-D on compassionate ground as per compassionate ground G.R.. In the policy of appointment on compassionate ground it is clear that if applicant is eligible for appointment in Class-III post and if vacancy is not there at that time he/she will be appointed on Group-D post and subsequently absorbed in Group-C as and when vacancy occurs in Class-III posts and then he/ she will be given first priority. In this case respondents have rightly taken position and given appointment by the applicant letter vide order dated 03.06.2018 (A-1, Pg. Nos. 11 & 12) where they have mentioned in Clause – 10 of the appointment letter:-

"10- I nj fu; Drh xV&d i nkp; k mi yC/krs/kHkkoH vki Y; k fourh vt kZd kj xV&M e/My fjDr inkoj rRi j rh fu; Drh ns; kr ; s vl u Hkfo"; kr xV&d e/My in mi yC/k gsrkp vki .kkd xV&d inkoj i k/kku; kus fu; Drh dj.; kr ; bly-"

The above is in the right spirit of the policy and G.R. of the appointment on compassionate ground. Now only question involved is that if

vacancy occurs in Class-III after the age bar then he/she should be considered after his age bar or not? The Id. P.O. is directed to take instructions regarding this because in general appointment age bar criteria are implemented for promotional post. But in category of appointment on compassionate ground, age is only taken into consideration at the time of only the first appointment and when candidate like applicant is to be taken in Class-III from Class-IV at that time age bar criteria is not to be applied. Since it is condition laid down by respondents in initial appointment letter itself as per G.R. and policy.

3. The Id. P.O. is directed to take instructions from respondents on this point, **S.O. 2<sup>nd</sup> week of January, 2022.**

**4. Matter be treated as P.H.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.485/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri R.M.Fating, the Id. counsel for the applicant and Shri M.I.Khan, the Id. P.O. for respondents.

2. At the request of Id. P.O., **S.O. 22.12.2021.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**

**O.A.No.742/2021 (D.B.)**

**Coram : Shri Shree Bhagwan, Vice Chairman &  
Shri M.A.Lovekar, Member (J)**

**Dated : 15/12/ 2021.**

Shri S.C.Deshmukh, the Id. counsel for the applicant and Shri A.M.Khadatkar, the Id. P.O. for respondents.

2. At the request of Id. counsel for the applicant, **S.O. after vacation.**

**Member (J)**  
**Date:-15/12/2021.**  
aps.

**Vice Chairman**